THE HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 26332 of 1995

–

Dated: 17-04-2006

Between:

T. Jeevan Reddy.

..Petitioner.

and

The Government of Andhra Pradesh, represented by its Chief Secretary, Andhra Pradesh Government Secretariat, Hyderabad.

..Respondent.

THE HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 26332 of 1995

ORDER:

This petition is filed seeking a writ of mandamus declaring the action of the respondent-Government in not paying full compensation to the victims of the damaged households irrespective of social status or colour of the ration card of villagers of Dharmapuri, Arepally and Rajaram villages in Dharmapuri

Mandal, Karimnagar District and ryots under Kadem project due to sudden and unnatural floods created by the negligence and callousness of the Government in not maintaining the flood gates of Kadem project, Adilabad on river Godavari, as unjustified and arbitrary.

The case of the petitioner is that Kadem Project in Adilabad District in North Telangana was built on Godavari river and due to heavy rains, inflow into the Kadem Project Reservoir was very heavy, but the officials of Kadem Project opened the gates after considerable delay and due to sudden release of water into the river, the ryots under Kadem project suffered heavy damage to their standing crops, houses etc., and that the Government has not paid any compensation to the victims. Hence, the writ petition.

The respondent filed counter stating that there was no delay in opening the gates. However, the relief operations have been taken for the flood victims, necessary rice and kerosene have been distributed and medical treatment was also provided. It is further stated that as per G.O.Ms.NO.28, Revenue (CR) Dept, dated 12-01-1989 an ex-gratia of Rs.5,000/- was paid to the kin of each deceased person and that eligibility was limited to those persons having monthly income up to Rs. 500/- per month and in respect of non earning members, ex-gratia was limited to Rs.2,000/-. It is stated that a housing colony was also proposed for construction of houses for the flood victims.

It is further stated that as the Government has already paid the compensation to the flood victims for the damage caused to the houses and property according to their eligibility, the petitioner is not entitled to any relief in the petition without furnishing any material particulars and accordingly prayed to dismiss the petition.

In view of the above facts and circumstances of the case, I am of the opinion that there are no merits in the petition and the petitioner is not entitled to any relief as prayed for.

Hence, the Writ Petition is dismissed. No order as to costs.

17-04-2006

sj